

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

DEVIN JOHNSON,

Plaintiff,

-against-

CITY OF ROCHESTER, et al.,

Defendants.

**DECLARATION OF ELLIOT  
SHIELDS**

**21-cv-6683 (EAW)(MWP)**

ELLIOT D. SHIELDS, hereby declares under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am associated with Roth & Roth, LLP, where I represent plaintiffs in personal injury and civil rights lawsuits.

2. We are counsel for the Plaintiff and as such I am fully familiar with the facts and circumstances of this action.

3. I am an attorney admitted to practice before this Court and associated with Roth & Roth, LLP, attorneys for Plaintiff Devin Johnson in this action. I submit this declaration in support of Plaintiff's opposition to Defendants' Motions in Limine to exclude certain evidence at trial.

4. Attached as **Exhibits 1-17** are true and correct copies of the following documents submitted in opposition to the City's motion:

- **Exhibit 1** – Civil Complaint in *Maddox v. City of Rochester*
- **Exhibit 2** – Subject Resistance Report of Officer Perelli regarding the Maddox incident
- **Exhibit 3** – Surveillance Video from the Maddox Incident
- **Exhibit 4** – Body-Worn Camera Footage of Officer Perelli from the Maddox Incident
- **Exhibit 5** – Testimony of Officer Perelli in the PSS Investigation concerning Maddox and Yahmiek
- **Exhibit 6** – Signed Statement of Officer Phillip Perelli regarding the Special Operations Section
- **Exhibit 7** – Settlement Documents in *Maddox v. City of Rochester*

- **Exhibit 8** – Video of Nishean Napier dated March 15, 2018
- **Exhibit 9** – *United States v. Brookins*, No. 17-CR-6019 CJS (WDNY Sept. 11, 2018) (Suppression Order Transcript)
- **Exhibit 10** – News Article regarding Nishean Napier and Officer Laureano
- **Exhibit 11** – Video of Nishean Napier Traffic Stop involving Officer Laureano
- **Exhibit 12** – *People v. Howard* – Continued Huntley Hearing Transcript
- **Exhibit 13** – *People v. Howard* – Affirmation of Scott Myles in Response to Plaintiff's CPL 440 Motion
- **Exhibit 14** – *People v. Howard* – Cell Phone Chain of Custody Report
- **Exhibit 15** – *People v. Howard* – Decision and Order Granting CPL 440 Motion
- **Exhibit 16** – Mapp Hearing Transcript
- **Exhibit 17** – Suppression Order issued by Judge Schiano

5. These exhibits are submitted to demonstrate **(1) the pattern of misconduct by RPD officers, (2) Officer Laureano's credibility issues, and (3) the improper justification for Plaintiff's stop and arrest.**

6. For the reasons stated in Plaintiff's Memorandum of Law and the supporting exhibits, Plaintiff respectfully requests that the Court **deny** the City's Motion in Limine in its entirety.

Dated: New York, New York  
February 13, 2025

Respectfully Submitted,  
ROTH & ROTH LLP

By: ~s/~  
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To: All parties (via ECF)